



FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF GENERAL COUNSEL

Memorandum

TO: Director, Reference Information Center
Chief, Public Safety and Homeland Security Bureau

FROM:  Daniel M. Armstrong
Associate General Counsel

SUBJECT: *Sprint Nextel Corporation v. FCC*, No. 07-1416. Filing of a Notice of Appeal in the United States Court of Appeals for the District of Columbia Circuit.

DATE: October 24, 2007

This is to advise you that, on October 12, 2007, Sprint Nextel Corporation ("Sprint Nextel") filed a Notice of Appeal in the U.S. Court of Appeals for the District of Columbia Circuit pursuant to 47 U.S.C. § 402(b), of the following order and public notice: *Improving Public Safety Communications in the 800 MHz Band*, Third Memorandum Opinion and Order, WT Docket No. 02-55, 22 FCC Rcd 17209 (2007) and *Public Notice*, FCC Announces Supplemental Procedures and Provides Guidance for Completion of 800 MHz Rebanding, 22 FCC Rcd 17227 (2007).

The Commission is currently in the process of restructuring the 800 MHz spectrum band to reduce interference to radio systems used by public safety agencies. Band restructuring will require many existing licensees to be relocated to new spectrum; Sprint Nextel is coordinating the process and must also relocate many of its own operations. In the order on review, the Commission modified several of the rules governing band restructuring. Sprint Nextel challenges the order but does not specify the precise ground on which its challenge is based.

The Court has docketed this case as No. 07-1416. The attorney assigned to handle the litigation of this case is Joel Marcus.